

Remarks

Claims 1, 11, 15, 18, 19, as amended, new claims 83-87, and claims 9, 12, 16, 27, 28, 33, 53, and 61-66 are pending.

Claim 19 was amended by adding a period.

New claims 83-87 have been added. Support for these claims is found throughout the application as filed.

Claims 11, 13, 18, and 19 were amended to correct a typographical error in the definition of the variable "W." The $\text{-SO}_2\text{NHR}_6$ group was erroneously written as $\text{-SO}_2\text{NHR}_2$. Support for this amendment can be found in claim 1, where "W" is substituted with R_3 , and R_3 contains $\text{-SO}_2\text{NHR}_6$.

Various minor typographical errors were also corrected. No new matter has been added by these amendments.

1. Rejections based on 35 U.S.C. § 112, 1st paragraph

Claims 1, 9, 11-12, 15-16, 18-19, 27-28, 33, and 61 stand rejected under 35 U.S.C. § 112, 1st paragraph for allegedly lacking enablement. While the Applicants respectfully disagree with this assertion, in order to expedite allowance, the definitions of the variables R_6 and R_7 have been amended to encompass only optionally substituted alkyl. Applicants respectfully request that the rejections based on 35 U.S.C. § 112, 1st paragraph be withdrawn.

Claims 62-66 also stand rejected under 35 U.S.C. § 112, 1st paragraph as not supported by either a specific utility or well established utility. Applicants respectfully disagree with this rejection because the claimed assays clearly have an established utility and therefore meet the requirements of 35 U.S. C. § 112. It is well known to medicinal chemists, biologists and biochemists of no more than ordinary skill in the art, and in the pharmaceutical industry as a whole, that a variety of assays, such as those encompassed by claims 62-66, are useful, and indeed very important in drug discovery and development. Therefore, Applicants respectfully request that this rejection based on 35 U.S.C. § 112, 1st paragraph be withdrawn.

Claim 61 stands rejected under 35 U.S.C. § 112, 1st paragraph as allegedly not being enabled by the specification. Applicants respectfully disagree with this rejection, but in order to expedite allowance of the case, claim 61 has been amended to remove Alzheimer's disease as a condition that can be treated using the compounds of the invention. Applicants request that the rejection of claim 62 based on 35 U.S.C. § 112, 1st paragraph be withdrawn.

2. Rejections based on 35 U.S.C. § 112, 2nd paragraph


Claims 1, 9, 11-12, 15-16, 18, 19, 27-28, 33, and 61 stand rejected under 35 U.S.C. § 112, 2nd paragraph. While applicants respectfully disagree with this rejection, and believe that one of no more than ordinary skill in the art would readily appreciate what was meant by the rejected language, they have amended claim 1 in order to expedite allowance of the case. Applicants have amended the number of substituents on the "phenyl," "naphthyl," and pyridyl groups by replacing the objected to language with equivalent language that specifies the number of possible substituents. The definitions of R₆, and R₇ were also amended, as previously mentioned. The Applicants respectfully submit that this rejection is moot in view of the amendments made to the claims. Therefore, the Applicants request that the rejections of the claims based on 35 U.S.C. § 112, 2nd paragraph be withdrawn.

Allowance of the claims and passage of the case to issue are respectfully solicited. Should the Examiner believe a discussion of this matter would be helpful, she is invited to telephone the undersigned at (312) 913-2114.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

Dated: November 25, 2003

By: 
Bradley W. Crawford
Reg. No. 50,494
McDonnell Boehnen
Hulbert & Berghoff
32nd floor
300 South Wacker Drive
Chicago, Illinois 60606
(312) 913-2114